

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

December 21, 2010

Lyle W. Cayce
Clerk

No. 09-50820
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JEREMY RAYSHARD STANDIFER,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:08-CR-74-1

Before DAVIS, SMITH and SOUTHWICK, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Jeremy Rayshard Standifer has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Standifer has filed a response.

The record is insufficiently developed to allow consideration at this time of Standifer's claim of ineffective assistance of counsel. *See United States v. Higdon*, 832 F.2d 312, 313-14 (5th Cir. 1987).

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 09-50820

Our independent review of the record, counsel's briefs, and Standifer's response discloses no nonfrivolous issue for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2. Standifer's motion to dismiss counsel is DENIED. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).